

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

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WILLIAM AARON ROLLINS

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Plaintiff,

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v.

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1:08-CV-33-MHT

COMMANDER REED, *et al.*,

\*

Defendants.

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**ORDER ON MOTION**

Plaintiff filed an opposition to Defendants' written report on July 10, 2008. (*See Doc. No. 33.*) The opposition contained a request to strike Defendants' special report. The court denied that motion on July 11, 2008. Plaintiff has now filed a pleading captioned as a *Motion in Opposition to Ruling and Actions Adverse to Plaintiff's Responsive Motion and Affidavit*. Upon review of the motion, Plaintiff appears to seek clarification of the court's July 11, 2008 order. Specifically, Plaintiff seeks to clarify whether said order was intended as a judgment dispositive of all claims within Plaintiff's § 1983 complaint.

Upon consideration of Plaintiff's July 21, 2008 pleading, construed as a motion for clarification, it is

ORDERED that the motion (*Doc. No. 35*) be and is hereby GRANTED. Plaintiff is advised that the court's July 11 order was not a judgment on the pleadings. Plaintiff is

advised that this case is now pending on his complaint, Defendants' written report, and Plaintiff's opposition. No additional pleadings are necessary to a determination of the issues presented herein, and Plaintiff will be informed of any action undertaken by the court on his complaint.

To the extent Plaintiff's July 21, 2008 pleading may be construed to contain a motion for leave to file a second request to strike Defendants' written report, it is

ORDERED that the motion (*Doc. No. 35*) be and is hereby DENIED.

To the extent Plaintiff's July 21, 2008 pleading may be construed to contain a motion for leave to conduct discovery, the court concludes after reviewing the documents on file that no additional discovery is necessary, and it is

ORDERED that the motion for leave to conduct discovery (*Doc. No. 35*) be and is hereby DENIED.

Done, this 22<sup>nd</sup> day of July 2008.

/s/ Charles S. Coody  
CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE